

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

758W0441

HOUSE HEALTH AND HUMAN SERVICES ENGROSSED NO. **HB 1166** - 02/19/2015

Introduced by: Representatives Munsterman, Bolin, Brunner, Cronin, Deutsch, Dryden, Duvall, Gosch, Haggard (Don), Hawks, Hawley, Heinemann (Leslie), Hickey, Jensen (Alex), Johns, Killer, Kirschman, McCleerey, Partridge, Peterson (Kent), Rasmussen, Schrempp, Stevens, Verchio, Wink, and Zikmund and Senators Tidemann, Curd, Haverly, Heinert, Hunhoff (Bernie), Rusch, Soholt, Solano, Tieszen, and White

1 FOR AN ACT ENTITLED, An Act to prohibit the use of tanning devices by minors.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 26-10 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Terms used in this Act mean:

6 (1) "Tanning device," equipment that emits electromagnetic radiation having
7 wavelengths in the air between two hundred and four hundred nanometers and that
8 is used for tanning human skin. The term does not include a phototherapy device
9 used by a physician licensed pursuant to chapter 36-4 that emits ultraviolet radiation
10 and is used in treating disease;

11 (2) "Tanning facility," a business that provides persons access to a tanning device.

12 Section 2. That chapter 26-10 be amended by adding thereto a NEW SECTION to read as



1 follows:

2 No person may permit a minor to use a tanning device at a tanning facility without the
3 informed consent of the minor's parent or guardian. A violation of this section is a Class 2
4 misdemeanor.